

February 19, 2014

Committee on Environment

**RE: AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO.**

Dear Sirs:

In my personal opinion, there are four solutions needed to address the damage being caused by the "running bamboo", any bamboo in the genus *Phyllostachys*, including *Phyllostachys aureosulcata*. The proposed changes are a step in the right direction but fall short of a comprehensive solution.

Last year's Public Act No. 13-82 addressed two of the needed items, regulating the sale and planting of the *Phyllostachys* bamboo. There were two important items missing from the 2013 regulation, addressing the liability for the damage done by the spread of existing running bamboo and providing an effective means of enforcement at the local municipal level.

The proposed changes do address the liability but ignores an effective enforcement mechanism across the 169 municipalities in CT. I would strongly encourage the Environment Committee to strengthen the enforcement component without causing an unfair burden at the local level. As I understand provision (e), the local duly authorized municipal constable, municipal tree warden, zoning enforcement officer or inland wetlands and watercourses enforcement officers do not have the resources to enforce the regulation as it now exists. How this process should work to be effective needs the input at the local municipal level. This process should provide a clear path to deal with all facets of this problem without penalizing the local municipalities by a lack of resources, support, and funding to support the enforcement.

An effective regulation is needed coupled with education and enforcement. Without a viable enforcement mechanism, the people affected by the damage caused by the spread of running bamboo will be left in the same position they are now, seeking a legal recourse in the civil courts at their own time and expense.

Regards,

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